

FILED
JAMES BONINI
CLERKUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

04 MAR 31 PM 2:55

OLLEN G. COLBERT

Plaintiff

v.

CINCINNATI GAS & ELECTRIC and
INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS,
LOCAL 1347

Defendants.

CASE NO. C-1-00-909

JUDGE: J. Dlott
Magistrate Judge Hogan**UNOPPOSED MOTION TO EXTEND TIME TO FILE**
DEFENDANT'S EXPERT REPORT

Comes now, Defendant, The Cincinnati Gas & Electric Company ("CG&E"), by counsel, and respectfully requests the Court to grant CG&E's Motion to Extend Time to File Expert Report by thirty (30) days up to and including April 30, 2004. In support thereof, CG&E would show the Court as follows:

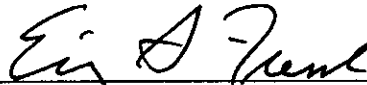
1. Per the Court's Entry of February 3, 2004, the Plaintiff's Expert Report was due February 27, 2004 and Defendant's Expert Report is due on March 31, 2004, said time for Defendant's Expert Report having not expired.
2. Plaintiff submitted his Expert Report on February 27, 2004.
3. CG&E requires additional time to consider, review and prepare an appropriate response to Plaintiff's Expert Report beyond the original thirty-three (33) days allowed in the Court's February 3, 2004 Entry, and therefore seeks an additional thirty (30) days up to and including April 30, 2004 in which to submit an Expert Report.

4. Counsel for Plaintiff does not object to CG&E's request for an additional thirty (30) days in which to submit its Expert Report.

5. CG&E's request for an extension of thirty (30) days up to and including April 30, 2004 is not due to cause an undue delay or prejudice to the Court or parties.

WHEREFORE, Defendant, CG&E, by counsel, respectfully prays for an Order extending the time in which to file their Expert Report to and including April 30, 2004, and for all other relief just and proper in these premises.

Respectfully submitted,

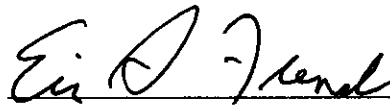


Eric S. French, #071711
Julie L. Ezell, #0073128

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Unopposed Motion to Extend Time to File Defendant's Expert Report was electronically filed this 31st day of March, 2004, and will therefore be electronically mailed to:

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Jerry A. Spicer snrakspi@aol.com, Attorney for Defendant,
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